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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 22nd March, 2024 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 5 OF 2024.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 13th May, 2024).

AN ACT

further to amend the Gujarat Co-operative Societies Act, 1961.

It is hereby enacted in the Seventy-fifth Year of the Republic of India as follows: -

1. (1) This Act may be called the Co-operative Societies (Amendment) Act, 2024.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and
commencement.

**Amendment
of section 2 of
Guj. X of
1962.**

- 2.** In the Gujarat Co-operative Societies Act, 1961. (hereinafter referred to as “the principal Act”), in section 2, - **Guj. X of 1962.**

- (i) after clause (7A), the following clauses shall be inserted, namely:-

“(7B) “co-operative housing society” means —

- (i) a society, the object of which is to provide its members with open plots for housing, dwelling houses or flats and to provide its members common amenities and services;
- (ii) a society, the object of which is to allot the plots to its members to construct the dwelling unit or flats thereon or to allot the dwelling units already constructed and where land is held either on lease hold or free hold basis by the society and houses are owned or to be owned by the members;
- (iii) a society, the object of which is to allot the flats already constructed or to be constructed to its members and where both land and building or buildings are held either on freehold or lease-hold basis by the society;

(7C) “co-operative housing service society” means a society formed by the owners of flats in a building for the purpose of maintenance of the building and provision of common amenities and services;

- (ii) after clause (10), the following clause shall be inserted, namely:-

(10A) “flat” means block, chamber, dwelling unit, apartment, office, showroom, shop, godown, premises, suit, tenement, unit or by any other name, means a separate and self-contained part of any immovable property, including one or more rooms or enclosed spaces, located on one or more floors or any part thereof, in building or on a plot of land, used or intended to be used for any residential or commercial use such as residence, office, shop, showroom or godown or for carrying on any business, occupation, profession or trade, or for any other type of use ancillary to the purpose specified;”.

**Amendment of
section 6 of
Guj. X of 1962.**

- 3.** In the principal Act, in section 6, in sub-section (1), after the words and brackets “persons (each of such persons being a member of different family)”, the words and brackets “and in case of co-operative housing society or co-operative housing service society at least eight persons (each of such persons being a member of different family)” shall be inserted.

**Amendment of
section 8 of
Guj. X of 1962.**

- 4.** In the principal Act, in section 8, in sub-section (2),-

- (i) in clause (a), the word “and” occurring at the end shall be deleted.

(ii) after clause (a), the following clause shall be inserted, namely: -

“(aa) in case of co-operative housing society or co-operative housing service society, at least eight persons (each of such persons being a member of different family) who are qualified under this Act, and”

5. In the principal Act, in section 67A, in the second proviso to sub-section (4), for the words “of the State Government”, the words “of such authority as may be specified by the State Government, by notification in the *Official Gazette*” shall be substituted.

Amendment of section 67A of Guj. X of 1962.

6. In the principal Act, in section 110, in clause (e), after the words, “arising out of such claims”, the words “as may be prescribed” shall be inserted.

Amendment of section 110 of Guj. X of 1962.

7. In the principal Act, in section 114, -

Amendment of section 114 of Guj. X of 1962.

(i) in sub-section (1), for the words “unless the period is extended by the Registrar”, the words “unless the period is extended by the Registrar or, as the case may be, the State Government” shall be substituted;

(ii) for the proviso to sub-section (1), the following proviso shall be substituted, namely: -

“Provided that, the Registrar shall not grant any extension for a period exceeding one year at a time and five years in the aggregate.”

(iii) after the existing proviso, the following provisos shall be inserted, namely: -

“Provided further that the State Government may grant extension after the expiry of ten years from the date of the order for winding up of the society:

Provided also that the State Government shall not grant any extension for a period exceeding two years at a time.”.

8. In the principal Act, after section 159, the following section shall be inserted, namely:-

Insetion of new section 159A of Guj. X of 1962.

Transfer fee for co-operative housing society and co-operative housing service society.

“**159A.** A co-operative housing society or, as the case may be, a co-operative housing service society shall not collect transfer fee more than the transfer fee as may be prescribed.”.

